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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,466	07/10/2001	Michael Pascazi	844-002	6786

7590 12/22/2005

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EXAMINER

TRAN, CONGVAN

ART UNIT	PAPER NUMBER
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2688

DATE MAILED: 12/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/902,466	Applicant(s) PASCAZI, MICHAEL	
	Examiner CongVan Tran	Art Unit 2688	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 4 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/10/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

By

DETAILED ACTION

1. Claim 4 has been canceled.
2. Claims 1, 14 have been amended.

Claim Objections

3. Claim 5 is objected to because of the following informalities: "claim 4" on first line should be changed to --claim 1--. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 8-9, 12, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al (6,693,894) in view of Song (6,694,019).
6. This office action is in response to amendment filed on Dec. 07, 2005.

Regarding claims 1, 12, 14, Anderson discloses a communication network for transmitting telephone signals between first and second mobile stations, said system comprising: a first internet protocol interface configured to receive an incoming cell phone signal generated by the first mobile station, and to transmit said phone signal to the internet (see fig.3, elements 217, 309c, 308 and its description); and a second internet protocol interface configured to receive said phone signal sent through the internet by said first internet protocol interface and to transmit said phone signal to the second mobile station, such that users of the first and second mobile stations can

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engage in a conversation where said phone signals are communicated over substantial distances through the internet (see fig.3, elements 306, 309a, 308 and its description).

Except for one of said first and second internet protocol interfaces each maintains an echo canceller/equalizer module configured to correct distortions in said phone.

However, Song discloses an echo canceller is used to reduce or correct distortions in said phone (see fig.4, element 170, col.1, lines 36-63 and its description). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use Song's echo canceller to reduce or eliminate any type of distortion or echo in order to improve the communication via voice over internet protocol (VOIP).

Regarding claims 2-3, Anderson further discloses of a first address reader module configured to read the phone number of the destination second mobile station entered by the user the first mobile station (see fig.3, elements 309c, 317 fig.5 and its description).

Regarding claims 8-9, Anderson further discloses of a second software controller module configured to process address information of the second mobile station provided by the user of the first mobile station (see fig.3, elements 309a, 306 fig.5 and its description).

7. Claims 5, 10-11, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al (6,693,894) in view of Song (6,694,019) and in further view of Albal (6,668,046).

Regarding claims 5, 10-11, Anderson and Song disclose all the subject matters described in rejected claims 1 and 14, except for A/D and D/A converter. However,

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Albal discloses a telecommunication network receiving incoming calls from the communication device routed over the Internet via the VOIP unit including A/D and D/A converter (fig.2, element 52, 70, 64, 72, 60, col.3, lines 34-47 and its description). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to use Albal's A/D and D/A to convert the analog signal to digital in order to use digital telecommunication system.

Regarding claim 13, Albal further discloses said phone signal can be transmitted from said first internet protocol interface to said second internet protocol interface via a private packet switched network (see fig.2, element 53, 54 and its description).

8. Claims 6-7 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al (6,693,894) in view of Song (6,694,019) and in further view of Lee et al. (6,847,632).

Regarding claims 6-7 and 15-16, Anderson and Song disclose all the subject matters except for a packetized digital data stream. However, Lee discloses a Method and apparatus for digital cellular internet voice communications comprised of a internet protocol converter module configured to embed said phone signal into a packetized digital data stream for transmission through the internet and a internet protocol de-converter module configured to remove said phone signal from said packetized digital data stream (see abstract, fig.2 and its description).

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CongVan Tran whose telephone number is 571-272-7871. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CONGVAN TRAN
PRIMARY EXAMINER

CongVan Tran
Primary Examiner
Art Unit 2688

Dec. 20, 2005.